

REMARKS

Claims 1, 3, 4, 6-10 and 13-19 are pending in the present application.

Claim 1 is in independent form. Claims 1 and 13 are amended. Claims 14-19 are withdrawn.

Upon entry of the amendments and remarks submitted in Applicant's Amendment filed on June 18, 2010, Applicant respectfully requests that the Examiner enter and consider the above amendments and the following remarks.

In particular, the Advisory Action states that the exclusion of the levels of glucosinolates produced may raise issues under 35 U.S.C. §112 first and second paragraph, as well as 35 U.S.C. §102(a) and §103(b).

By the present Amendment, independent claim 1 is amended to include 3MSPG and 4MSPG glucosinolates (and their corresponding concentration).

The Advisory Action further states that claim 13 does not appear to further limit the subject matter of independent claim 1.

By the present Amendment, claim 13 is amended to recite "the plant belonging to the Brassica varieties is selected from the group consisting of sprouting broccoli (Brassica oleracea convar. botrytis var. asparagoides) of variety Bordeaux; and Savoy cabbage (Brassica oleracea convar. capitata var. sabauda) of variety Wirosa."

CONCLUSION

Accordingly, in view of the above, reconsideration of the objection and rejection, and allowance of each of claims 11, 3, 4, 6-10 and 13-19 in connection with the present application is earnestly solicited.

Pursuant to 37 C.F.R. §§ 1.17 and 1.136(a), Applicant hereby petitions for a two (2) month extension of time for filing a reply to the outstanding Office Action. Applicant previously paid \$65.00 for a one (1) month extension of time on June 18, 2010. Thus, Applicant encloses \$180.00 for the remaining portion of the extension fee.

Should there be any matters that need to be resolved in the present application, the Examiner is respectfully requested to contact the undersigned at the telephone number below.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 08-0750 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17; particularly, extension of time fees.

Respectfully submitted,

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